$C_{(1-10)}$alkylamidoalkyl, $C_{(1-10)}$amidoalkyl, $C_{(1-10)}$acetamidoalkyl, $C_{(2-10)}$alkenyl, $C_{(2-10)}$alkynyl, $C_{(1-10)}$))alkoxyl, $C_{(1-10)}$alkoxyalkyl, and $C_{(1-10)}$dialkoxyalkyl.

7. The therapeutic compound of claim 4, wherein the carbocyclic group is a member selected from the group consisting of adamantyl, anthracenyl, benzyl, bicyclo[2.2.1] heptanyl, bicyclo[2.2.1]hexanyl, bicyclo[2.2.2]octanyl, bicyclo[3.2.0]heptanyl, bicyclo[4.3.0]-nonanyl, bicyclo[4.4.0]decanyl, biphenyl, biscyclooctyl, cyclobutyl, cyclobutenyl, cycloheptyl, cycloheptenyl, cyclohexanedionyl, cyclohexenyl, cyclohexyl, cyclooctanyl, cyclopentadienyl, cyclopentanedionyl, cyclopentenyl, cyclopentyl, cyclopropyl, decalinyl, 1,2-diphenylethanyl, indanyl, 1-indanonyl, indenyl, naphthyl, napthlalenyl, phenyl, resorcinolyl, stilbenyl, tetrahydronaphthyl, tetralinyl, tetralonyl, and tricyclododecanyl.

REMARKS

The purpose of this amendment is to simplify the issues on appeal. The Examiner found that the term benzamidyl in line 2 of claim 7 was indefinite and suggested canceling the term. Appellants adopt the Examiner's suggestion and request that the above amendment to claim 7 be entered to delete "benzamidyl." The Examiner also found that the term "$C_{(1-20)}$tetraaminoalkyl" was indefinite because a bond for attachment must be available for a methane derivative. Accordingly, since a pentavalent carbon is impossible, it is requested that claim 1, line 16 be amended to change "$C_{(1-20)}$tetraaminoalkyl" to --$C_{(2-20)}$tetraaminoalkyl--. The Examiner has permitted changes of a similar nature in at least one previous amendment. See the amendment filed April 2, 2002. While the Examiner focused on claim 1, a similar term appears in line 5 of claim 2, namely, "$C_{(1-10)}$tetraaminoalkyl." For the same reason, it is respectfully requested that the term be amended to recite --$C_{(2-10)}$tetraaminoalkyl--. By these amendments, the specific grounds of rejection set forth in paragraphs 1 and 4 of rejections under 35 U.S.C. § 112, second

paragraph, on pages 3 and 4 of the Office Action from which the appeal has been taken, should be overcome.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

Date:_____ By: _____

Willem F. Gadiano
Registration No. 37,136

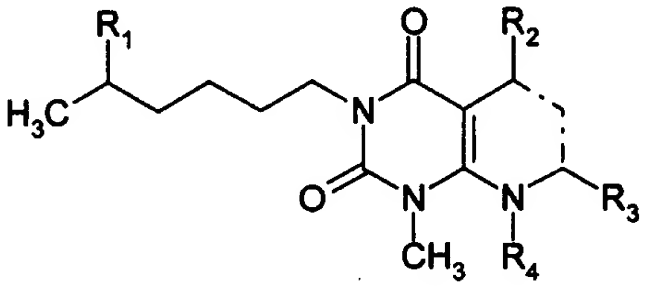
MCDERMOTT, WILL & EMERY
600 13th Street, N.W.
Washington, D.C. 20005-3096
Telephone: (202) 756-8000
Facsimile: (202) 756-8087

APPENDIX

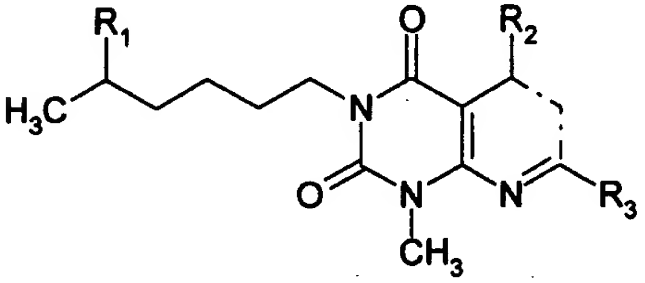
VERSION WITH MARKINGS TO SHOW CHANGES MADE

Please amend claims 1, 2 and 7 as follows:

1. A therapeutic compound, including resolved enantiomers, diastereomers, tautomers, salts and solvates thereof, having one of the following formulae:



or



wherein:

R_1 is selected from a member of the group consisting of hydrogen, hydroxyl, methoxyl, acylamino group, cyano group, sulfo, sulfinyl, sulfhydryl (mercapto), sulfeno, sulfanilyl, sulfamyl, sulfamino, and phosphino, phosphinyl, phospho, phosphono and $-NR_aR_b$, wherein each of R_a and R_b may be the same or different and each is selected from the group consisting of hydrogen and optionally substituted: $C_{(1-20)}$alkyl, $C_{(3-12)}$cycloalkyl, $C_{(2-20)}$alkenyl, $C_{(3-12)}$cyclo-alkenyl, $C_{(2-20)}$alkynyl, aryl, heteroaryl, and heterocyclic group;

R_2 and R_3 are independently selected from a member of the group consisting of halo, oxo, $C_{(1-20)}$alkyl, $C_{(1-20)}$hydroxyalkyl, $C_{(1-20)}$thioalkyl, $C_{(1-20)}$alkylthio, $C_{(1-20)}$alkylaminoalkyl, $C_{(1-20)}$aminoalkyl, $C_{(1-20)}$aminoalkoxyalkenyl, $C_{(1-20)}$aminoalkoxyalkynyl, $C_{(1-20)}$diaminoalkyl, $C_{(1-20)}$triaminoalkyl, [$C_{(1-20)}$tetraaminoalkyl] $C_{(2-20)}$tetraaminoalkyl, $C_{(1-20)}$alkylamido, $C_{(1-20)}$alkylamidoalkyl, $C_{(1-20)}$amidoalkyl, $C_{(1-20)}$acetamidoalkyl, $C_{(2-20)}$alkenyl, $C_{(2-20)}$alkynyl, $C_{(1-20)}$alkoxyl, $C_{(1-20)}$alkoxyalkyl, $C_{(1-20)}$dialkoxyalkyl, and $-NR_aR_b$; and

R_4 may be hydrogen or an optionally substituted member of the group consisting of $C_{(1-20)}$alkyl, $C_{(3-12)}$cycloalkyl, $C_{(2-20)}$alkenyl, $C_{(3-12)}$cycloalkenyl, $C_{(2-20)}$alkynyl, aryl, heteroaryl, and heterocyclic group.

2. The therapeutic compound of claim 1, wherein R_2 and R_3 are independently selected from a member of the group consisting of hydrogen, halo, thio, oxo, $C_{(1-10)}$alkyl, $C_{(1-10)}$hydroxyalkyl, $C_{(1-10)}$thioalkyl, $C_{(1-10)}$alkylthio, $C_{(1-10)}$alkylamino, $C_{(1-10)}$alkylaminoalkyl, $C_{(1-10)}$aminoalkyl, $C_{(1-10)}$aminoalkoxyalkenyl, $C_{(1-10)}$aminoalkoxyalkynyl, $C_{(1-10)}$diaminoalkyl, $C_{(1-10)}$triaminoalkyl, [$C_{(1-10)}$tetraaminoalkyl] $C_{(2-10)}$tetraaminoalkyl, $C_{(1-10)}$aminotrialkoxyamino, $C_{(1-10)}$alkylamido, $C_{(1-10)}$alkylamidoalkyl, $C_{(1-10)}$amidoalkyl, $C_{(1-10)}$acetamidoalkyl, $C_{(2-10)}$alkenyl, $C_{(2-10)}$alkynyl, $C_{(1-10)}$)alkoxyl, $C_{(1-10)}$alkoxyalkyl, and $C_{(1-10)}$dialkoxyalkyl.

7. The therapeutic compound of claim 4, wherein the carbocyclic group is a member selected from the group consisting of adamantyl, anthracenyl, [benzamidyl,] benzyl, bicyclo[2.2.1] heptanyl, bicyclo[2.2.1]hexanyl, bicyclo[2.2.2]octanyl, bicyclo[3.2.0]heptanyl, bicyclo[4.3.0]-nonanyl, bicyclo[4.4.0]decanyl, biphenyl, biscyclooctyl, cyclobutyl, cyclobutenyl, cycloheptyl, cycloheptenyl, cyclohexanedionyl, cyclohexenyl, cyclohexyl, cyclooctanyl, cyclopentadienyl, cyclopentanedionyl, cyclopentenyl, cyclopentyl, cyclopropyl, decalinyl, 1,2-diphenylethanyl, indanyl, 1-indanonyl, indenyl, naphthyl, napthlalenyl, phenyl, resorcinolyl, stilbenyl, tetrahydronaphthyl, tetralinyl, tetralonyl, and tricyclododecanyl.